MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I beg to move that the Bill be referred to a Select Committee consisting of

Messrs:
S. Chattanatha Karayalar
K. Dominic Joseph
E. E. Pandarathil
M. L. Janardana Pillai
N. V. Joseph
Murukkumpuzha V. Kunjukrishnan
T. C. Kesava Pillai
K. P. Kochukoratharakan
J. W. Tolson
N. John Joseph
G. Velu Pillai.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE COMPANIES ACT SECOND AMENDMENT BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I request you to permit me to deal with the Companies further Amendments Bill appearing later on in the Agenda, as item No. 9.

PRESIDENT: Yes.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Bill to further amend the Travancore Companies Act and move that the same be read in the Assembly.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

SECRETARY: The title of the Bill shall be "The Travancore Companies Act Second Amendment Bill."

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I submit that this second Bill was published in the Government Gazette only some time after the first Bill was published. Both relate to the same Act and the Bill may be referred to the Select Committee to which the first Bill was referred-the Select Committee to report within three months. The report can be submitted sooner.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE PAYMENT OF WAGES BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir I rise to introduce the Travancore Payment of Wages Bill. Government have already enacted several measures relating to labour in this State. This Bill is only to further supplement such laws. Many complaints were received by Government that the payment of wages in factories was not regular. A Board was appointed by Government to go into the whole question and they inquired into the conditions prevailing in Alleppey, particularly, those relating to mats and matting industry. They have stated that

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[Mr. Puthupalli S. Krishna Pillai]

it is absolutely necessary for legislation on this matter. Hence the Bill. It is based on the British Indian Act. It is applicable to the factories in the first instance but power is vested with the Government to extend it to other industrial establishments. I move that the bill be read in the Assembly.

MR. M. K. GOPALA PILLAI: I Second.

MR. K. NARAYANAPERUMAL NADAR: Sir, Section 4 of the Bill says that no wage period shall exceed a month. The Royal Commission on Labour on page 240 of their report observes thus: "Our conclusion then is, that the prevalence of a monthly period of month is not in the best interests of the employees. We recommend the general adoption of a system of weekly payments in the belief that it will have important effects on both welfare and efficiency. The advantages to be gained are, in our view, so obvious and definite that the State would be justified in intervening to enforce the general adoption of weekly payments if this could be secured without an unreasonable amount of dislocation to industry. So, I am of opinion that the maximum wage period should be shortened. If the maximum wage period is fixed as one month, the poor labourer may find it hard to get anything to maintain the first few weeks of his employment. They will have to borrow and borrowing will entail heavy loss to them, because they will have to pay a higher price for any article that they borrow from the shops. Therefore, as the Royal Commission observed, the maximum of wage period should be shortened. Moreover, in the Indian Legislative Assembly, as is seen by the proceedings for 1936, Mr. N. M. Joshi, who is a labour leader and who is a member of the Royal Commission on labour, has moved an amendment to the effect that the wage period should be shortened.

Then there is no reason why the application of this measure should not be extended to some hard cases of labourers in other type of factories also. In Act VIII of 1114, "factory" is defined as "any premises including the precincts thereof whereon 20 or more workers are working or were working on any day of the preceding 12 months and in any part of which a manufacturing process is carried on with the aid of power or is so ordinarily carried on but does not include a mine subject to the operation of the Travancore Mines and Mineral Regulation."

It is therefore clear that the definition of the factory is very much restricted in sense. It should be extended and what the Royal Commission on labour has said about the monthly payment of wages should be applied, as far as pssible, to mines, plantations and like things. In Travancore there are two or three industries for which a legislation of the kind proposed is quite necessary. Those are mines, salt pans and plantations. The report regarding labour conditions in the mats and matting industry contains certain statements. That is embodied in page 2 of the report. Such conditions obtain to a large extent in mines and salt factories. I am the president of the Labour Union, South Travancore. Certain references were made about labour leaders this morning when the Dewan

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President spoke this morning on the war condition and some important international problems. Hence I now propose to deal with the grievances of the labourers in Manavalakurichi.

PRESIDENT: There was no personal reference at all.

MR. K. NARAYANAPERUMAL NADAR: But I had expected that reference would be made about some labour leaders.

PRESIDENT: The honourable member need not be at pains to dissociate himself from these remarks. But I never meant the honourable member.

MR. K. NARAYANAPERUMAL NADAR: In the first instance, this Bill should apply to labourers employed in mines. Very recently in a factory at Manavalakurichi, one Nadar labourer named சந்தணகுமார் நாடார் died. That fact was neither reported to Government nor to the Division Peishkar and no compensation was paid to his family.

MR. M. SIVATHANU PILLAI: In which factory at Manavalakurichy please ?

MR. K. NARAYANAPERUMAL NADAR: In Hopkins and Williams & Co., where the manager is one Mr.—

MR. M. SIVATHANU PILLAI: When was it please?

MR. K. NARAYANAPERUMAL NADAR: Very recently. In salt factories there are grievances of labourers about which Mr. D. C. Joseph has written in his journal. He is now the President of a Salt Factory Union. He was a member of the old Legislative Council. He is the editor of two papers, one in English the Travancore Times and the other a Tamil paper. On 7th June 1940, he has written as follows in his Tamil paper:

இந்த திவான்ஷிகாலத்தில் பொதுஜனங்களின் சங்கடங்கள் நிவர்த்தியாகுவதும் உண்மை. தென் திருவிதாங்கூர் உப்பளம் தொழிலாளர்கள் சங்கடங்கள் இன்னும் தொடர்ந்து நடப்பிலிருக்கின்றன. 5 லக்ஷம் ரூபாய்க்குமேல் ஏழைத் தொழிலாளர்கள் சம்பளங்கள் பாக்கியிருக்கின்றன பெற்றிஷனுக்கு மேல் பெற்றிஷன்களும், கூட்டங்களுக்கு மேல் கூட்டங்களும், பத்திரிகை எழுத்துக்கு மேல் எழுத்துகள்எழுதியும் யாதொரு பிரயோஜனமுமில்லை. இரண்டுகால் மிருகங்கள் போல் இன்னும் உப்பளம் தொழிலாளர் கஷ்டம் அனுபவிக்கிறார்கள்.

That is a very important point.

PRESIDENT: I have no objection to the honourable member reading out the extracts. But does the member make himself responsible for the statement that Rs. 5 lakhs are in arrears.

MR. K. NARAYANAPERUMAL NADAR: I hold myself responsible to the extent published in the paper (*Laughter*).

PRESIDENT: Then the honourable member will please assimilate that in his own remarks.

MR. K. NARAYANAPERUMAL NADAR: One thing is certain. I come from a constituency where there are salt factories in abundance. I know first hand of the conditions of labourers in factories in Tovala and Agastiswaram. It is a well known fact that 95 per cent. of the

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[Mr. K Narayanaperumal Nadar]

labourers are Nadars and many of them are voters too. There is great truth in what I say concerning labourers. So then, my point is that the Bill should be made applicable to labourers in salt factories also.

Again there is a proviso to sub-clause (2) of clause 9 in the proposed Bill. It reads thus "provided that subject to any rules made in this behalf by Our Government, if ten or more employed persons acting in concert absent themselves, without due notice (that is to say without giving the notice which is required under the terms of their contracts of employment)..... and so forth". I am lead to think that it is a provision relating to anti-strikes. Moreover, it is said that wages for eight days will be deducted if ten or more persons absent themselves for one day without notice. Suppose 10 or 15 people attend a funeral ceremony or say a public meeting, then 8 days' pay will be deducted. That may seem to be the implication. Whether there was a reasonable cause for absence, is to be proved in a court of law.

PRESIDENT: Presumably both the ceremony and the meeting could be made a reasonable cause for absence.

MR. K. NARAYANAPERUMAL NADAR: Yes, Sir, I see that. But they may be absent without any intention to go on a strike. I am always a sympathiser of strikes. I do not say therefore that a strike should be legalised. Everybody should know that strike is the last weapon of the labourer to get his grievances redressed. With these remarks I agree to the general principle of the Bill.

SAHIB BAHADUR P. S. MUHAMED: സർ, ഈ ബില്ലിൽ ആദ്യം ഫാക്ടറിയിലുള്ള തൊഴിലാളികളെ മാത്രമെ സംബന്ധപ്പെടുത്തിയിരുന്നുള്ളൂ. പിന്നീട് ഇൻഡസ്ട്രിയൽ എസ്റ്റാബ്ളിഷ്മെൻറിലുള്ള തൊഴിലാളികളേയും കൂടി ഉൾപ്പെടുത്തി എന്നു പറയുന്നു. ഡെഫിനിഷൻ അനുസരിച്ച് പോർട്ടിലുള്ള തൊഴിലാളികളെ ഉൾപ്പെടുത്താൻ നിവർത്തിയില്ല. പതിനായിരം തൊഴിലാളികൾ ജോലി ചെയ്യുന്ന സ്ഥലത്തു് രണ്ടോ മൂന്നോ നാലോ തവണയായിട്ടെങ്കിലും കൂലി കൊടുക്കേണ്ടതാണു്. സമയത്തിനു കൂലി കൊടുക്കുകയും അനാവശ്യമായി കൂലി കുറയ്ക്കാതിരിക്കയും ചെയ്യുകവേണ്ടും ഈ ബില്ലിനെഎല്ലാ തൊഴിലാളികൾക്കും അപ്ലൈ ചെയ്യുക്ക നിലയിൽ എക്സ്റ്റെൻറ് ചെയ്യണമെന്നാണു് ഞാൻ ആവശ്യപ്പെടുന്നതു്. ഒരു മാസത്തിനകമെങ്കിലും കൂലി കൊടുക്കണം അനാവശ്യമായി ഫൈൻ മുതലായ ശിക്ഷകൾചെയ്തു കൂലി കുറയ്ക്കരുതു്. സ്റ്റീം വെസൽസിൽ ജോലി ചെയ്യുന്നവരെ ഇതിൽ ഉൾപ്പെടുത്തിയിട്ടുണ്ടെങ്കിലും ബോട്ടുകൂവിനെ ഇതിൽ ചേർത്തിട്ടില്ല. ഇതു ശരിയല്ല. ഇൻഡസ്ട്രിയൽ തൊഴിലാളികളെ എല്ലാം ഇതിൽ ചേർക്കണം.

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കഴിഞ്ഞ ഫ ഒ കൊല്ലങ്ങളായി തൊഴിലാളികളുമായി ഞാൻ ഒരു വിധത്തിൽ ബന്ധിച്ചിരിക്കയാണ്. നാല ചക്രമേ ക്രലിയുള്ളുവെങ്കിലും അതു കുറയ്ക്കാതെ പണമായിട്ടുതന്നെ അവർക്കു കൊടുക്കണം. അങ്ങിനെ കൊടുത്താൽ സ്ട്രൈക്ക് ഉണ്ടാവുകയില്ല. മി: നാരായണപ്പെരുമാൾ നാടാർ സ്ട്രൈക്കിനോടു അല്പോത്തിനു അനുതാപമുണ്ടെന്നാണ് പ്രസ്താവിച്ചതു്. എനിക്ക് അതിനോടു് അനുതാപമില്ല. അതുകൊണ്ടു് എല്ലാ തൊഴിലാളികളേയും ബാധിക്കത്തക്ക നിലയിൽ വേണ്ട വ്യവസ്ഥകൾ ഈ നിയമത്തിൽ വരുത്തണമെന്നു ഞാൻ അഭിപ്രായപ്പെട്ടുകൊള്ളുന്നു.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, in my opinion all the suggestions made by Messrs. Nadar and Mahomed are quite appropriate and may be considered and disposed of by the Select Committee. I am sure their misapprehensions could be cleared there.

The motion was put and carried.

SECRETARY: The title of the Bill shall be "The Travancore Payment of Wages Bill".

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I move that the Travancore Payment of Wages Bill be referred to a Select Committee consisting of :—

Messrs. S. Krishna Aiyar,
N. R. Krishnan,
K. C. Karunakaran,
M. G. Kesava Pillai,
M. Sivathanu Pillai,
J. W. Tolson,
T. P. Velayudhan Pillai,
H. O. L. Marikkar,
K. R. Narayanan,
Kodivecttil C. Raman Kunju,
Srimathi T. Narayani Amma,
Messrs. J. E. A. Pereira,
K. A. Mahomed, and.
K. Narayanaperumal Nadar.

The Select Committee to report within three months.

MR. M. K. GOPALA PILLAI: I second it.

The motion was put and carried.

THE TRAVANCORE EXPLOSIVES BILL.

MR. PUTHUPALLI S. KRISHNA PILLAI: Sir, I rise to introduce the Travancore Explosives Bill. In the statement of objects and reasons the necessity for the Bill is succinctly explained. We have an Explosive Act. But it is rather old, for, it was enacted in 1079. During the last several years during which it was in operation, no attempt was made to bring the Act into line with the law prevailing in British India. Moreover the existing Act is very much restricted in scope. As stated

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